

**SECRET**

980

REF 1-3475

OGC HAS REVIEWED.

27 November 1950

Executive

Legal Staff

Effect of Leave on Continuous Service Abroad

25X1A

FOIAB5

1. Our previous memorandum of 7 November 1950, regarding a special leave policy for [ ] provided an opportunity to make certain comments regarding leave in the United States for overseas employees prior to the completion of a two-year tour of duty. [ ]

FOIAB5

FOIAB5

FOIAB5

[ ] we do not find any legal objection to permitting an employee to take such limited period of leave prior to the expiration of two years' service abroad, if he is in the United States on official business.

2. We wish to bring to your attention a recent change in the Foreign Service Regulations which now provides that "continuous service abroad" (after 1 August 1950) is not broken by seven calendar days' annual leave or thirty calendar days' sick leave in the United States while the employee is in the United States on official travel orders (such orders, of course, would only be issued in the pursuit of official business). Nor is there any interruption of such service when travel is performed at the employee's personal expense in the case when transit time is not authorized. Annual leave in excess of seven days can be granted only when it is approved in advance, in writing, by the Chief, Division of Foreign Service Personnel, and a determination is made as to whether the additional leave will constitute a break in "continuous service abroad." Any leave in the United States, however, is not counted in determining the total period of service abroad, and to that extent the period of leave must be added before the employee becomes entitled to statutory home leave similar to that under [ ]

FOIAB5

3. This is submitted for consideration in establishing the overall CIA policy. Normally we copy our rules on those of State. But in this we are dealing with rather different basic problems. State's rule applies to those taking leave while here for other purposes. Our purpose is to provide reorientation and leave during the two year period. There is logic, however, in having the period of leave, in either case, added on to the two year period of overseas service required for home leave.

25X1A

[ ] :hw

cc: Subject ✓

Chrono

Legal Decisions

Vital Documents File

LAWRENCE P. HOUSTON

Memo of 7 Nov 50 is filed in  
314 C (Deleg. of Auth. Corres)